

# REGULATORY AUTHORITY BOARD

MINUTES of the Meeting of the Board of Commissioners of the Regulatory Authority of Bermuda held on the 20th September 2016 at 1st Floor, Craig Appin House, 8 Wesley Street, Hamilton, Bermuda at 1:00pm

Present: Angela S. Berry (Chairman, Commissioner)  
Kenneth Robinson (Commissioner)  
Raj Barua (Commissioner) –participating by teleconference  
Matthew Copeland (Chief Executive)

In Attendance: Monique Lister (Legal Advisor)


1. The Chairman called to order the meeting.
2. **Provisional Disqualification of Applications submitted in response to the Request for Applications for the Assignment of Designated HDS-1 Frequencies in the 850 MHz, 700 MHz and 2100 MHz Bands (“RFA”)**

Following review and discussion of the Advisory Panel’s initial HDS-1 Recommendation dated 30 August 2016 and the Addendum dated 16 Sept. 2016, it was RESOLVED to accept the recommendations of the Advisory Panel with respect to the provisional disqualification of the following Applicants, in accordance with paragraph 31(a) of the RFA:

- (1) Bermuda Digital Communications Ltd. (“CellOne”), due to (i) its decision not to accept the Mandatory Commitments embodied in the RFA, as amended; and (ii) doubts as to its ability to meet the commitments set forth in its Application due to such refusal; and
- (2) provisional disqualification of Telecommunications Networks Limited (“Telecom”) due to its failure to score sufficient points to meet the minimum requirements for the Baseline Application in accordance with paragraph 25 of the RFA.

It was FURTHER RESOLVED that the Chief Executive be authorized to take the appropriate steps to:

- (1) issue notices of preliminary disqualifications to each of CellOne and the Telecom, in accordance with paragraph 33 of the RFA; and
- (2) to do all such things as may be required in his discretion in connection with these resolutions.



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Chairman